

NEW JERSEY MILITIA

P.O. BOX 10176, TRENTON, NJ 08650

News Bulletin and Plea for Reason

For immediate release to all prosecutors and lawmen Contact: Bob Figueroa (609) 695-2733

Acting first assistant Union county prosecutor Lapolla confirms our fears that he, like his late boss, the prosecutor, intends to willfully violate his oath of office and enforce the assault rifle ban. Is it because prosecutors and their assistants are appointees unaccountable to the people, unlike the sheriff who is elected and whose role as chief peace officer of the county they have usurped? Or do they truly believe that their blatant violation of the U.S. and N.J. Constitutions is the right thing to do? Neither explanation bodes well for lawful government.

Mr. Lapolla takes us to task for protesting his boss' plea for "aggressive enforcement" of the gun ban, which he called for publicly days before his death from cancer. No disrespect was intended, but officials who advocate lawlessness cannot go unchallenged. To remain silent would be an act of complicity. Had people spoken up when the Nazi Weapons Laws were enforced millions would be alive today.

He asserts that his boss served the state with distinction. With all due respect such service is not necessarily honorable. The U.S. general who put Japanese-Americans in concentration camps, Dzerzhinsky (the founder of the Soviet secret police), Robespierre (the lawyer who ruled during the Reign of Terror)--all "served the state with distinction". But this is America. Here officials must serve us, We the People, within the bounds of our constitutions. One of the bounds beyond which officials cannot lawfully step is the Bill of Rights which guarantees that "the right of the people to keep and bear arms shall not be infringed." Does anyone in the Union county prosecutor's office understand this?

He and his boss' concern about the alleged proliferation of assault rifles is totally unwarranted. According to the N.J. attorney general assault rifles were involved in a quarter of one percent of the crimes committed in 1991. The assault rifle "crisis" was a political stunt engineered by the media, former Gov. Florio and his attorney general, who ordered all twenty-one county prosecutors to stand up at a press conference and swear that a ban was necessary. In a disgraceful day for law enforcement not one refused to lie.

Of course Mr. Lapolla does not dispute our conclusion that the ban is unlawful. It clearly violates the U.S. Constitution's Art. 1, Sec. 9, Clause 3 and Art. 1, Sec. 10, Clause 1; as well as the N.J. Constitution's Art. IV, Sec. VII, para. 3, which prohibit ex post facto (retroactive) laws. Furthermore it violates the 14th Amendment of the Constitution which applies the entire Bill of Rights to the states. Though our constitution does not explicitly mention the right to keep and bear arms we Jerseyans are guaranteed that right via the 14th Amendment. That being the case why does "law enforcement" insist on breaking the law?

Prosecutors and lawmen, do not enforce gun control statutes! Our forefathers devised a system of checks and balances so that power would be diffused, the ultimate power to be retained by the people themselves in the form of firearms. They understood that whenever the people have been disarmed the result has been tyranny and death. In this century alone (through 1987) governments have killed nearly 170 million people not counting 34 million battle dead, according to the book *Death by Government* (\$29.95, 800-326-0996). Get a copy. Understand the framers' intent. You are to protect and defend the people, not disarm and oppress them. Honor your sworn oath, and never forget that the mass murders abroad and at Waco were not perpetrated by the military alone.



OFFICE OF THE PROSECUTOR
COUNTY OF UNION, NEW JERSEY

EDWARD M. NEAFSEY
ACTING PROSECUTOR

MICHAEL J. LAPOLLA
ACTING FIRST ASSISTANT PROSECUTOR

December 11, 1995

New Jersey Militia
P.O. Box 10176
Trenton, New Jersey 08650
Attn: Bob Figueroa

Dear Mr. Figueroa:

I am the First Assistant Prosecutor in Union County. I had the honor and privilege of serving with Prosecutor Andrew K. Ruotolo from the day he took office in 1991 until his untimely death on September 21.

When I first read Steve Chambers' article "'Patriotic' Jersey Militia Protests Assault Gun Ban" (Star Ledger 12/3/95), I found it disturbing - but not surprising - that your organization chose to begin its campaign against the assault weapons law here in Union County due to Prosecutor Ruotolo's position calling for the "aggressive enforcement" of that law here in Union County. The fact that you would attack Prosecutor Ruotolo in the press only weeks after his death speaks volumes about your organization and its members. At the time, I decided against giving credence to you or your organization with a written response.

Since that time, however, I have had the opportunity to read your press release on this subject and find it necessary to respond.

The assault weapons law is something that Prosecutor Ruotolo - and almost all of law enforcement - felt passionately about. You are wrong in attributing his position to his illness. His position on assault weapons was consistent throughout his career. Make no mistake about it.

Drew Ruotolo served this county and this state with great distinction. He and I shared a concern about the proliferation of assault weapons in the very communities we sought to protect.

I know that if he were here today he would wear your opposition to his position and your warped view of the assault weapons law like a badge on his sleeve. I know I do.

Very truly yours,

Michael J. Lapolla
First Assistant Prosecutor

mle